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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): **Leonard R. Bayer et al.**

Docket No.

HAR-003

Application No.

09/882,203

Filing Date

06/15/2001

Examiner

Steven B. McAllister

Customer No.

024,902

Group Art Unit

3627

Invention: **SYSTEM AND METHOD FOR CONDUCTING PRODUCT CONFIGURATION RESEARCH
OVER A COMPUTER-BASED NETWORK**



I hereby certify that this **Response to Office Action of 3/18/05**

(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope

addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

June 20, 2005

(Date)

Tammy S. Moynihan

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant(s): Leonard R. Bayer et al.

Serial No.: 09/882,203

Confirmation No. 8016

Filed: June 15, 2001

For: SYSTEM AND METHOD FOR CONDUCTING PRODUCT
CONFIGURATION RESEARCH OVER A COMPUTER-BASED
NETWORK

Examiner: McAllister, Steven B.

Art Unit: 3627

Atty Docket: HAR-003

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION OF 3/18/05

Dear Sir:

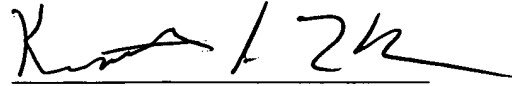
Claims 25, 26, 28, 29, 40, 42, 43, 45, and 46 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0169665 (Hughes et al.) in view of U.S. Patent No. 6,167,383 (Henson). Hughes et al. published from U.S. Patent Application No. 09/874,853. Enclosed is a Declaration under 37 C.F.R. §1.131 by one of the inventors, David G. Bakken, showing that the invention of the application was conceived in the U.S. before the May 10, 2001 effective date of U.S. Patent Application No. 09/874,853 as set by that Application's claim to benefit of U.S. Provisional Application No. 60/290,131, filed May 10, 2001. Thus, Applicants have provided evidence of the claimed invention prior to the May 10, 2001 effective date of the Hughes et al. reference relied upon by the Examiner. As Hughes et al. is no longer a proper prior art reference, Henson cannot be combined with Hughes et al. to reject Claims 25, 26, 28, 29, 40, 42, 43, 45, and 46 under 35 U.S.C. §103(a). Accordingly, withdrawal of the rejection of these claims is requested.

Claims 27 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hughes et al. in view of Henson and further in view of U.S. Patent No. 5,808,908 (Ghahramani). As Hughes et al. is no longer a proper prior art reference, neither Henson nor Ghahramani can be

combined with Hughes et al. to reject Claims 27 and 44. Withdrawal of the rejection of these claims is thus also requested.

Early passage to issue is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. LuKacher', written over a horizontal line.

Kenneth J. LuKacher
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Dated: June 20, 2005

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Enclosures: Declaration Under 37 C.F.R. §1.131; and
Certificate of Mailing by First Class Mail.